

FD 26659

1 OF 1

AUG 24 1971

FD-26659 Sub 4 thru 29

CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3, held at its office in Washington, D.C., on the 20th day of August, 1971.

Finance Docket No. 26659 (Sub-No. 4)

R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL RAILROAD COMPANY OF NEW JERSEY ABANDONMENT OF ITS LEE MINE BRANCH IN LUZERNE COUNTY, PENN.

Upon consideration of the application filed under section 1 (18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R.D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the Act, for permission to abandon its Lee Mine Branch, a distance of 1.49 miles, located in Luzerne County, Pa.; and of (1) shipper protests filed by the F.L. Smith & Co. and its employees, Tenneco Plastics Division of Tenneco Chemicals, Inc., New Jersey Zinc Company, Asbury Graphite Mills, Inc., and Blue Coal Corp., (2) protests filed by those parties listed in Appendices A and B. (3) the protest of the Lehigh Coal and Navigation Co., (4) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie-Lackawanna Railway Co., and The Reading Co., (5) petitions filed in support of the application by Manufacturers Hanover Trust Co., and 3 1/4% Mortgage Bondholders Protective Committee, and (6) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et al. v. Railway Labor Executives' Assn. et al., 315 U.S. 373); that no public need has been shown for the continuation or restoration of service on the line; that none of the shipper protestants are located directly on this particular branch line to be abandoned; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment of operations by the Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may cancel upon notice to this Commission and to the general public by not less than 10 days filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act:

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary.

(SEAL)

APPENDIX A

1. State of New Jersey - Department of Transportation
2. State of Pennsylvania - Department of Transportation
3. City of Philadelphia
4. Somerset and Hunterdon Counties, N. J. - John Ewing
5. City of Easton, Pa.
6. Township of Branchburg - Somerset Co. N. J. - Woolson
7. Borough of Hampton - Hunterdon County, N. J.
8. Dover-West Morris Chamber of Commerce
9. Hunterdon County Planning Board
10. City of Newark
11. City of Wilkes-Barre
12. Morris County Chamber of Commerce
13. Borough of West Easton
14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N. J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
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28. Borough of Freehold
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31. Township of Greenwich
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33. Township of Readington
34. Township of Bridgewater
35. Township of Clinton
36. Borough of Flemington
37. Brotherhood of Locomotive Engineers
38. Congress of Railway Unions
39. Railway Labor Executives' Association
40. Brotherhood of Railway, Airline, Steamship, Clerks,
Freight Forwarders, Express & Station Employees

APPENDIX B

Honorable John B. Anderson
House of Representatives
Washington, D. C. 20515

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Honorable John H. Ewing
Assemblyman, District 8 (Somerset)
41 North Bridge Street
Somerville, N. J. 08876

Honorable Millicent Fenwick
New Jersey General Assembly
41 North Bridge Street
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CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3, held at its office in Washington, D.C., on the 20th day of August, 1971.

Finance Docket No. 26659 (Sub-No. 6)

R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL RAILROAD COMPANY OF NEW JERSEY ABANDONMENT OF ITS FRANKLIN BRANCH IN LUZERNE COUNTY, PENNSYLVANIA

Upon consideration of the application filed under section 1 (18) of the Interstate Commerce Act on May 25, 1971, as supplemental, by R.D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the Act, for permission to abandon its Franklin Branch, a distance of 1.05 miles, in Luzerne County, Pa.; and of (1) shipper protests filed by New Jersey Zinc Co., Tenneco Plastics Division of Tenneco Chemicals, Inc., Asbury Graphite Mills Co., F.L. Smidth & Co. and its employees, and Blue Coal Corp., (2) protests filed by those parties listed in Appendix A and B, (3) the protest of the Lehigh Coal and Navigation Co., (4) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co. and the Reading Co., (5) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4 % Mortgage Bondholders Protective Committee and (6) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et. al. v. Railway Labor Executives' Assn. et al., 315 U.S. 373) that no public need has been shown for the continuation or restoration of service of the line; that none of the shipper protestants are located directly on the particular line to be abandoned; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment of operations by the Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary.

(SEAL)

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APPENDIX B

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CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3,
held at its office in Washington, D. C., on the 20th day
of August 1971.

Finance Docket No. 26659 (Sub-No. 7)

R. D. TIMPANY, TRUSTEE OF THE PROPERTY OF
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY
ABANDONMENT OF ITS TRESCKOW BRANCH, IN
CARBON COUNTY, PA.

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R. D. Timpany, Trustee Of The Property Of The Central Railroad Of New Jersey, a common carrier by railroad subject to the provisions of part I of the act, for permission to abandon its Tresckow Branch, a distance of 7.69 miles, in Carbon County, Pa.; and of (1) shipper protests filed by the New Jersey Zinc Co., Asbury Graphite Mills, Inc., F. L. Smidth & Co., & its employees, Tenneco Plastics Division of Tenneco Chemicals, Inc., and Blue Coal Corp., (2) protests filed by those parties listed in Appendices A & B, (3) the protest of the Lehigh Coal & Navigation Co., (4) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co. and The Reading Co., (5) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4 % Mortgage Bondholders Protective Committee, and (6) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et. al, v. Railway Labor Executives' Assn. et al, 315 U.S. 373); that no public need has been shown for the continuation of restoration of service on the line; that none of the shipper protestants are located directly on the particular line to be abandoned; that the line has been out of service since November, 1970; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment of operations by the Central Railroad Company of New Jersey of the line of railroad described above.

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days' filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
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APPENDIX B

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CERTIFICATE AND ORDER

**SERVICE DATE
AUGUST 24, 1971**

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3,
held at its office in Washington, D. C., on the 20th day
of August, 1971.

Finance Docket No. 26659 (Sub-No. 8)

**R. D. TIMPANY, TRUSTEE OF THE PROPERTY OF
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY
ABANDONMENT OF ITS COPLAY BRANCH, IN LEHIGH
COUNTY, PA.**

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R. D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the act, for permission to abandon its Coplay Branch, a distance of 0.54 mile, in Lehigh County, Pa., and (1) shipper protests filed by the Tenneco Plastics Division of Tenneco Chemicals, Inc., F. L. Smidth & Co. & its employees, Blue Coal Corp., New Jersey Zinc Co., Coplay Manufacturing Co., and the Asbury Graphite Mills, Inc., (2) protests filed by those parties listed in Appendices A & B, (3) the protest of the Lehigh Coal & Navigation Co., (4) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co. and The Reading Co., (5) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4% Mortgage Bondholders Protective Committee, and (6) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et. al. v. Railway Labor Executives' Assn. et al, 315 U.S. 373); that no public need has been shown for the continuation or restoration of service on the line; that none of the shipper protestants are located directly on the particular line to be abandoned; that the line has been out of service since April, 1971; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission, concerning employee protection, the present and future public convenience and necessity permit the abandonment of operations by the Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days' filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary

(SEAL)

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APPENDIX B

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AUG 27 1975

SERVICE DATE

CERTIFICATE AND ORDER

AUG 26 1975

At a General Session of the INTERSTATE COMMERCE COMMISSION, held at its office in Washington, D.C., on the 15th day of August, 1975.

Finance Docket No. 26659 (Sub-No. 10)

R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL RAILROAD COMPANY OF NEW JERSEY, AND THE CENTRAL RAILROAD COMPANY OF PENNSYLVANIA - ABANDONMENT AT EASTON, NORTHAMPTON COUNTY, PA.

Upon consideration of the record in the above-entitled proceeding, including the report and certificate and order of the Commission, decided May 26, 1972, Central R. Co. of New Jersey-Abandonment, 342 I.C.C. 227, permitting the abandonment of operations by the Central Railroad Company of New Jersey (CNJ) over the Easton and Western Branch, a distance of 4.36 miles in Northampton County, Pa; the petition filed March 4, 1973 by the Central Railroad Company of Pennsylvania seeking reconsideration of said report and certificate and order; and the reply to the petition, filed March 20, 1973, jointly by the Commonwealth of Pennsylvania and the Pennsylvania Public Utility Commission; and

It appearing, That the petitioner seeks reopening and reconsideration of the above-noted report and certificate and order to the extent of permitting it to physically abandon its line of railroad involved herein; that the Commonwealth of Pennsylvania and the Pennsylvania Public Utility Commission, hereinafter jointly referred to as respondents, oppose such requested relief, contending in particular that the proviso appearing in the sixth ordering paragraph of the certificate and order of the Commission of May 26, 1972, precludes abandonment by petitioner or CNJ until such time as the Lehigh Valley Railroad Company (LV) commences operations over said line;

It further appearing, That petitioner is a wholly-owned subsidiary of CNJ, and is a nonoperating carrier lessor of the involved line; that there is no evidence of any traffic handled over the line since 1970; that the entire track structure of the line of railroad involved herein has been obliterated for some time by weeds and other growth and has been operationally unsafe for a considerable period of time; that LV has advised petitioner that it will not operate over or purchase said line; and that no shipper has joined with respondents in opposition to this petition;

It further appearing, That inasmuch as no traffic has been handled over the line in recent years, no diversion of traffic from rail to motor carrier will result; that approval of this abandonment will have

no significant impact on the local environment, including air quality and fuel consumption, and that consequently, this action does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321 et seq., and that preparation of a detailed environmental impact statement will not be required;

It further appearing, That considerable interest has been expressed for various uses of the right-of-way property, pending approval of this abandonment; that the line traverses scenic areas; that a number of public agencies, including Palmer Township, are interested in purchasing the right-of-way property for recreational use; and that the Palmer Township desires to acquire all of the right-of-way property for use as a bicycle and hiking trail that would link and parallel three established or soon to be established parks;

It further appearing, That the intent of the aforementioned proviso to the certificate and order of the Commission of May 26, 1972, was not to force Central Railroad Company of Pennsylvania, a non-operating carrier lessor, to maintain a line for which no carrier is available to provide service and over which no shipper presently requests service; that, under these circumstances, the public convenience and necessity does not require that service be resumed over this line or that this line be maintained; and that, accordingly, physical abandonment of the involved line should be permitted herein;

It is ordered, That the petition to reopen and reconsider the report and certificate and order of the Commission, decided May 26, 1972, be, and it is hereby, granted, in order to permit abandonment by the Central Railroad Company of Pennsylvania of the Easton and Western Branch line, a distance of 4.36 miles in Northampton County, Pa;

It is hereby certified, That the present and future public convenience and necessity permit the abandonment by Central Railroad Company of Pennsylvania of the above-described line of railroad; provided, however, that Central Railroad Company of Pennsylvania keep intact all of the right-of-way underlying the involved line and all related track structures for a period of 90 days from the date of this order for the purpose of permitting any responsible governmental or public interest organization to offer to purchase all or a portion of such right-of-way for public use;

It is further ordered, That except to the extent herein modified, the report and certificate and order of May 26, 1972, shall remain in full force and effect; and

It is further ordered, That this certificate and order shall be effective 35 days from the date served.

By the Commission.

ROBERT L. OSWALD,
Secretary.

(SEAL)

AUG 24 1971

CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3,
held at its office in Washington, D. C., on the 20th day
of August, 1971.

Finance Docket No. 26659 (Sub-No. 13)

R. D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE
CENTRAL RAILROAD COMPANY OF NEW JERSEY.
ABANDONMENT OF TRackage RIGHTS OVER THE
READING COMPANY BETWEEN TAMANEND TO
SILVERBROOK JUNCTION, CARBON COUNTY, PA.

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R. D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the act, for permission to abandon 5.50 miles of trackage rights over the Reading Company between Tamanend to Silverbrook Junction, Carbon County, Pa.; and of (1) shipper protests filed by New Jersey Zinc Co., General Felt Products, F. L. Smidth & Co., and its employees, Industrial Development Corporation, et al., Asbury Graphile Mills, Inc., Tenneco Plastics Division of Tenneco Chemicals, Inc., and Blue Coal Corp., (2) protests filed by those parties listed in Appendices A & B, (3) the protest of the Lehigh Coal & Navigation Co., (4) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co. and The Reading Co., (5) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4 % Mortgage Bondholders Protective Committee, and (6) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et. al. v. Railway Labor Executives' Assn. et al., 315 U. S. 373); that none of the shipper protestants are located directly on the particular line to be abandoned; that the line has not been operated over since November, 1970; that no public need has been shown for the continuation or restoration of service on the line; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment of trackage rights by the Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days' filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary

(SEAL)

APPENDIX A

1. State of New Jersey - Department of Transportation
2. State of Pennsylvania - Department of Transportation
3. City of Philadelphia
4. Somerset and Hunterdon Counties, N. J. - John Ewing
5. City of Easton, Pa.
6. Township of Branchburg - Somerset Co. N. J. - Woolson
7. Borough of Hampton-Hunterdon County, N. J.
8. Dover-West Morris Chamber of Commerce
9. Hunterdon County Planning Board
10. City of Newark
11. City of Wilkes-Barre
12. Morris County Chamber of Commerce
13. Borough of West Easton
14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N.J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
26. Chosen Freeholders of Somerset
27. Township of Hillsborough
28. Borough of Freehold
29. Monmouth County Planning Board
30. Morris County Board of Public Transp.
31. Township of Greenwich
32. City of Bridgeton
33. Township of Readington
34. Township of Bridgewater
35. Township of Clinton
36. Borough of Flemington
37. Brotherhood of Locomotive Engineers
38. Congress of Railway Unions
39. Railway Labor Executives' Association
40. Brotherhood of Railway, Airline, Steamship, Clerks,
Freight Forwarders, Express & Station Employees

APPENDIX B

Honorable John B. Anderson
House of Representatives
Washington, D. C. 20515

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Honorable John H. Ewing
Assemblyman, District 8 (Somerset)
41 North Bridge Street
Somerville, N. J. 08876

Honorable Millicent Fenwick
New Jersey General Assembly
41 North Bridge Street
Somerville, N. J. 08876

Honorable Peter H. B. Frelinghuysen
House of Representatives
Washington, D. C. 20515

Honorable Henry Helstoski
House of Representatives
Washington, D. C. 20515

Honorable James Howard
House of Representatives
Washington, D. C. 20515

Honorable Tom Railsback
House of Representatives
Washington, D. C. 20515

Honorable Jeanette F. Reibman
Senate of Pennsylvania
711 Lehigh Street
Easton, Pa. 18042

Honorable Richard S. Schweiker
United States Senate
Washington, D. C. 20510

Honorable William E. Schluter
Assemblyman, District 6A
(Mercer)
205 South Main Street
Pennington, N. J. 08534

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

Honorable Frank Thompson, Jr.
House of Representatives
Washington, D. C. 20515

Honorable Lawrence G. Williams
House of Representatives
Washington, D.C. 20515

Honorable Harrison Williams
United States Senate
Washington, D. C. 20510

Honorable William B. Widnall
House of Representatives
Washington, D. C. 20515

Honorable Joseph C. Woodcock, Jr.
Senator-Bergen County
690 Anderson Ave.
Cliffside Park, N. J. 07010

Honorable Gus Yatron
House of Representatives
Washington, D. C. 20515

CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3, held
at its office in Washington, D.C., on the 20th day of August 1971.

Finance Docket No. 26659 (Sub-No. 20)

R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL
RAILROAD COMPANY OF NEW JERSEY ABANDONMENT OF
A LINE BETWEEN PINEWALD AND BARNEGAT, OCEAN COUNTY, N.J.

Upon consideration of the application filed under section 1 (18) of the Interstate Commerce Act on May 25, 1971, as supplemented, by R.D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the Act, for permission to abandon 10.66 miles of line between Pinewald and Barnegat, Ocean County, N.J.; and of (1) shipper protests filed by F.L. Smidth and Co., and its employees, Tenneco Plastics Division of Tenneco Chemicals, Inc., Blue Coal Corp., and New Jersey Zinc Co., (2) protests filed by those parties listed in Appendices A and B, (3) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co., and The Reading Co., (4) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4% Mortgage Bondholders Protective Committee, and (5) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et. al. v. Railway Labor Executives' Assn. et al., 315 U.S. 373); that no public need has been shown for the continuation or restoration of service on the line; that none of the shipper protestants are located directly on the particular line to be abandoned; that the line has been out of service since June, 1970; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment by the Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary.

(SEAL)

APPENDIX A.

1. State of New Jersey - Department of Transportation
2. State of Pennsylvania - Department of Transportation
3. City of Philadelphia
4. Somerset and Hunterdon Counties, N. J. - John Ewing
5. City of Easton, Pa.
6. Township of Branchburg - Somerset Co. N. J. - Woolson
7. Borough of Hampton-Hunterdon County, N. J.
8. Dover-West Morris Chamber of Commerce
9. Hunterdon County Planning Board
10. City of Newark
11. City of Wilkes-Barre
12. Morris County Chamber of Commerce
13. Borough of West Easton
14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N. J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
26. Chosen Freeholders of Somerset
27. Township of Hillsborough
28. Borough of Freehold
29. Monmouth County Planning Board
30. Morris County Board of Public Transp.
31. Township of Greenwich
32. City of Bridgeton
33. Township of Readington
34. Township of Bridgewater
35. Township of Clinton
36. Borough of Flemington
37. Brotherhood of Locomotive Engineers
38. Congress of Railway Unions
39. Railway Labor Executives' Association
40. Brotherhood of Railway, Airline, Steamship, Clerks,
Freight Forwarders, Express & Station Employees

APPENDIX B

Honorable John B. Anderson
House of Representatives
Washington, D. C. 20515

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Honorable John H. Ewing
Assemblyman, District 8 (Somerset)
41 North Bridge Street
Somerville, N. J. 08876

Honorable Millicent Fenwick
New Jersey General Assembly
41 North Bridge Street
Somerville, N. J. 08876

Honorable Peter H. B. Frelinghuysen
House of Representatives
Washington, D. C. 20515

Honorable Henry Helstoski
House of Representatives
Washington, D. C. 20515

Honorable James Howard
House of Representatives
Washington, D. C. 20515

Honorable Tom Railsback
House of Representatives
Washington, D. C. 20515

Honorable Jeanette F. Reibman
Senate of Pennsylvania
711 Lehigh Street
Easton, Pa. 18042

Honorable Richard S. Schweiker
United States Senate
Washington, D. C. 20510

Honorable William E. Schluter
Assemblyman, District 6A
(Mercer)
205 South Main Street
Pennington, N. J. 08534

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

Honorable Frank Thompson, Jr.
House of Representatives
Washington, D. C. 20515

Honorable Lawrence G. Williams
House of Representatives
Washington, D. C. 20515

Honorable Harrison Williams
United States Senate
Washington, D. C. 20510

Honorable William B. Widnall
House of Representatives
Washington, D. C. 20515

Honorable Joseph C. Woodcock, Jr.
Senator-Bergen County
690 Anderson Ave.
Cliffside Park, N. J. 07010

Honorable Gus Yatron
House of Representatives
Washington, D. C. 20515

AUG 24 1971

CERTIFICATE AND ORDER

**SERVICE DATE
AUGUST 24, 1971**

At a Session of the ~~INTERSTATE COMMERCE~~ COMMISSION, Division 3, held at its office in Washington, D.C., on the 20th day of August, 1971.

Finance Docket No. 26659 (Sub-No. 22)

**R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL
RAILROAD COMPANY OF NEW JERSEY ABANDONMENT OF
A LINE BETWEEN BRANCHPORT AND OCEANPORT, IN
MONMOUTH COUNTY, N.J.**

Upon consideration of the application filed under section 1(18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R.D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the Act, for permission to abandon 2.00 miles between Branchport and Oceanport, Monmouth County, N.J.; and of (1) shipper protests filed by American Cement Corp., New Jersey Zinc Co., Blue Coal Corp., Tenneco Plastics Division of Tenneco Chemicals, Inc., and F.L. Smidth and Co., and its employees, (2) protests filed by the parties listed in Appendices A and B, (3) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co., and The Reading Co., (4) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4% Mortgage Bondholders Protective Committee, and (5) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et al. v. Railway Labor Executives' Assn. et al., 315 U.S. 373). that no public need has been shown for the continuation or restoration of service on the line; that none of the shipper protestants are located directly on the particular line to be abandoned; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission, concerning employee protection the present and future public convenience and necessity permit the abandonment by the Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission, and to the general public by not less than 10 days filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number.

It is further ordered, That, if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary.

(SEAL)

APPENDIX A

1. State of New Jersey - Department of Transportation
2. State of Pennsylvania - Department of Transportation
3. City of Philadelphia
4. Somerset and Hunterdon Counties, N. J. - John Ewing
5. City of Easton, Pa.
6. Township of Branchburg - Somerset Co. N. J. - Woolson
7. Borough of Hampton-Hunterdon County, N. J.
8. Dover-West Morris Chamber of Commerce
9. Hunterdon County Planning Board
10. City of Newark
11. City of Wilkes-Barre
12. Morris County Chamber of Commerce
13. Borough of West Easton
14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N. J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
26. Chosen Freeholders of Somerset
27. Township of Hillsborough
28. Borough of Freeholder
29. Monmouth County Planning Board
30. Morris County Board of Public Transp.
31. Township of Greenwich
32. City of Bridgeton
33. Township of Readington
34. Township of Bridgewater
35. Township of Clinton
36. Borough of Flemington
37. Brotherhood of Locomotive Engineers
38. Congress of Railway Unions
39. Railway Labor Executives' Association
40. Brotherhood of Railway, Airline, Steamship, Clerks,
Freight Forwarders, Express & Station Employees

APPENDIX B

Honorable John B. Anderson
House of Representatives
Washington, D. C. 20515

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Honorable John H. Ewing
Assemblyman, District 8 (Somerset)
41 North Bridge Street
Somerville, N. J. 08876

Honorable Millicent Fenwick
New Jersey General Assembly
41 North Bridge Street
Somerville, N. J. 08876

Honorable Peter H. B. Frelinghuysen
House of Representatives
Washington, D. C. 20515

Honorable Henry Helstoski
House of Representatives
Washington, D. C. 20515

Honorable James Howard
House of Representatives
Washington, D. C. 20515

Honorable Tom Railsback
House of Representatives
Washington, D. C. 20515

Honorable Jeanette F. Reibman
Senate of Pennsylvania
711 Lehigh Street
Easton, Pa. 18042

Honorable Richard S. Schweiker
United States Senate
Washington, D. C. 20510

Honorable William E. Schluter
Assemblyman, District 6A
(Mercer)
205 South Main Street
Pennington, N. J. 08534

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

Honorable Frank Thompson, Jr.
House of Representatives
Washington, D. C. 20515

Honorable Lawrence G. Williams
House of Representatives
Washington, D. C. 20515

Honorable Harrison Williams
United States Senate
Washington, D. C. 20510

Honorable William B. Widnall
House of Representatives
Washington, D. C. 20515

Honorable Joseph C. Woodcock, Jr.
Senator-Bergen County
690 Anderson Ave.
Cliffside Park, N. J. 07010

Honorable Gus Yatron
House of Representatives
Washington, D. C. 20515

AUG 25 1971

CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3,
held at its office in Washington, D. C., on the 20th day
of August, 1971

Finance Docket No. 26659 (Sub-No. 24)

R. D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL
RAILROAD COMPANY OF NEW JERSEY ABANDONMENT
BETWEEN BRIDGETON AND BOWENTOWN, CUMBERLAND COUNTY, N. J.

Upon consideration of the application filed under section 1(18)
of the Interstate Commerce Act on May 25, 1971, as supplemented
by R. D. Timpany, Trustee of the property of the Central Railroad
of New Jersey, a common carrier by railroad subject to the
provisions of part I of the Act, for permission to abandon
2.4 miles of line between Bridgeton and Bowentown, Cumberland
County, N. J.; and of (1) shipper protests filed by New Jersey
Zinc Co., Blue Coal Corp., Tenneco Plastics Division of Tenneco
Chemicals, Inc., and F. L. Smidth and Co. and its employees,
(2) protests filed by the parties listed in Appendices A and B,
(3) the petitions to intervene filed by Owens-Illinois, Inc.,
Lehigh Valley Railroad, Erie-Lackawanna Railway Co. and The Reading
Co., (4) petitions filed in support of the application by Manufacturers
Hanover Trust Co. and 3½% Mortgage Bondholders Protective Committee,
and (5) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives
may reach agreement concerning employees protection and until such
time that the Commission is notified that such agreement has been
reached or that no agreement can be reached, the decision to
impose employee protective conditions will be reserved (I.C.C.
et al. v. Railway Labor Executives' Assn. et al., 315 U.S. 373); that
no public need has been shown for the continuation or restoration
of service on the line; that none of the shipper protestants
are located directly on the particular line to be abandoned;
and that continued maintenance and operation of the line would
impose an undue and unnecessary burden upon applicant and upon
interstate commerce;

It is hereby, certified, That, subject reservation of
jurisdiction by the Commission concerning employee protection,
the present and future public convenience and necessity permit
the abandonment of the Central Railroad Company of New Jersey
of the line of railroad described above:

It is further ordered, That this certificate and order shall
take effect and be in force from and after 35 days from its date
of service and that tariffs applicable to the line herein permitted
to be abandoned may be cancelled upon notice to this Commission
and to the general public by not less than 10 days filing and
posting in the manner prescribed in section 6 of the Interstate
Commerce Act;

It is further ordered, That, when filing schedules cancelling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That if the authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise the Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

(SEAL)

ROBERT L. OSWALD,
Secretary.

APPENDIX A

1. State of New Jersey - Department of Transportation
2. State of Pennsylvania - Department of Transportation
3. City of Philadelphia
4. Somerset and Hunterdon Counties, N. J. - John Ewing
5. City of Easton, Pa.
6. Township of Branchburg - Somerset Co. N. J. - Woolson
7. Borough of Hampton-Hunterdon County, N. J.
8. Dover-West Morris Chamber of Commerce
9. Hunterdon County Planning Board
10. City of Newark
11. City of Wilkes-Barre
12. Morris County Chamber of Commerce
13. Borough of West Easton
14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N. J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
26. Chosen Freeholders of Somerset
27. Township of Hillsborough
28. Borough of Freehold
29. Monmouth County Planning Board
30. Morris County Board of Public Transp.
31. Township of Greenwich
32. City of Bridgeton
33. Township of Readington
34. Township of Bridgewater
35. Township of Clinton
36. Borough of Flemington
37. Brotherhood of Locomotive Engineers
38. Congress of Railway Unions
39. Railway Labor Executives' Association
40. Brotherhood of Railway, Airline, Steamship, Clerks,
Freight Forwarders, Express & Station Employees

APPENDIX B

Honorable John B. Anderson
House of Representatives
Washington, D. C. 20515

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Honorable John H. Ewing
Assemblyman, District 8 (Somerset)
41 North Bridge Street
Somerville, N. J. 08876

Honorable Millicent Fenwick
New Jersey General Assembly
41 North Bridge Street
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Honorable Peter H. B. Frelinghuysen
House of Representatives
Washington, D. C. 20515

Honorable Henry Helstoski
House of Representatives
Washington, D. C. 20515

Honorable James Howard
House of Representatives
Washington, D. C. 20515

Honorable Tom Railsback
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Washington, D. C. 20515

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Senate of Pennsylvania
711 Lehigh Street
Easton, Pa. 19042

Honorable Richard S. Schweiker
United States Senate
Washington, D. C. 20510

Honorable William E. Schluter
Assemblyman, District 6A
(Mercer)
205 South Main Street
Pennington, N. J. 08534

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

Honorable Frank Thompson, Jr.
House of Representatives
Washington, D. C. 20515

Honorable Lawrence G. Williams
House of Representatives
Washington, D. C. 20515

Honorable Harrison Williams
United States Senate
Washington, D. C. 20510

Honorable William B. Widnall
House of Representatives
Washington, D. C. 20515

Honorable Joseph C. Woodcock, Jr.
Senator-Bergen County
690 Anderson Ave.
Cliffside Park, N. J. 07010

Honorable Gus Yatron
House of Representatives
Washington, D. C. 20515

AUG 25 1971

CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3, held at its office in Washington D.C., on the 20th day of August, 1971.

Finance Docket No. 26659 (Sub-No. 25)

R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL
RAILROAD COMPANY OF NEW JERSEY ABANDONMENT
BETWEEN BOWENTOWN AND BRIDGETON, CUMBERLAND COUNTY, N.J.

Upon consideration of the application filed under section 1 (18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R.D. Timpany, Trustee of the property of the Central Railroad of New Jersey, a common carrier by railroad subject to the provisions of part I of the Act, for permission to abandon 3.65 miles between Bowentown and Bridgeton, Cumberland County, N.J., and of (1) shipper protests filed by New Jersey Zinc Co., Blue Coal Corp., F.L. Smidth & Co., and its employees and Tenneco Plastics Division of Tenneco Chemicals, Inc., (2) protests filed by the parties listed in Appendices A and B, (3) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie Lackawanna Railway Co. and The Reading Company, (4) petitions filed in support of the application by Manufacturers Hanover Trust Co., and 3½% Mortgage Bondholders Protective Committee, and (5) the reply to said protests filed by applicant; and

It appearing, That the applicant and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et al. v. Railway Labor Executives' Assn. et al. 315 U.S. 373); that no public need has been shown for the continuation or restoration of service on the line; that none of the shipper protestants are located directly on the particular line to be abandoned; that the line proposed to be abandoned has been out of service since July, 1970; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicant and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment by The Central Railroad Company of New Jersey of the line of railroad described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days filing and posting in the manner prescribed in section 6 on the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicant shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if authority herein granted is exercised, applicant shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary.

(SEAL)

APPENDIX A

1. State of New Jersey - Department of Transportation
2. State of Pennsylvania - Department of Transportation
3. City of Philadelphia
4. Somerset and Hunterdon Counties, N. J. - John Ewing
5. City of Easton, Pa.
6. Township of Branchburg - Somerset Co. N. J. - Woolson
7. Borough of Hampton-Hunterdon County, N. J.
8. Dover-West Morris Chamber of Commerce
9. Hunterdon County Planning Board
10. City of Newark
11. City of Wilkes-Barre
12. Morris County Chamber of Commerce
13. Borough of West Easton
14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N. J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
26. Chosen Freeholders of Somerset
27. Township of Hillsborough
28. Borough of Freehold
29. Monmouth County Planning Board
30. Morris County Board of Public Transp.
31. Township of Greenwich
32. City of Bridgeton
33. Township of Readington
34. Township of Bridgewater
35. Township of Clinton
36. Borough of Flemington
37. Brotherhood of Locomotive Engineers
38. Congress of Railway Unions
39. Railway Labor Executives' Association
40. Brotherhood of Railway, Airline, Steamship, Clerks,
Freight Forwarders, Express & Station Employees

APPENDIX B

Honorable John B. Anderson
House of Representatives
Washington, D. C. 20515

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Honorable John H. Ewing
Assemblyman, District 8 (Somerset)
41 North Bridge Street
Somerville, N. J. 08876

Honorable Millicent Fenwick
New Jersey General Assembly
41 North Bridge Street
Somerville, N. J. 08876

Honorable Peter H. B. Frelinghuysen
House of Representatives
Washington, D. C. 20515

Honorable Henry Helstoski
House of Representatives
Washington, D. C. 20515

Honorable James Howard
House of Representatives
Washington, D. C. 20515

Honorable Tom Railsback
House of Representatives
Washington, D. C. 20515

Honorable Jeanette F. Reibman
Senate of Pennsylvania
711 Lehigh Street
Easton, Pa. 18042

Honorable Richard S. Schweiker
United States Senate
Washington, D. C. 20510

Honorable William E. Schluter
Assemblyman, District 6A
(Mercer)
205 South Main Street
Pennington, N. J. 08534

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

Honorable Frank Thompson, Jr.
House of Representatives
Washington, D. C. 20515

Honorable Lawrence G. Williams
House of Representatives
Washington, D. C. 20515

Honorable Harrison Williams
United States Senate
Washington, D. C. 20510

Honorable William B. Widnall
House of Representatives
Washington, D. C. 20515

Honorable Joseph C. Woodcock, Jr.
Senator-Bergen County
690 Anderson Ave.
Cliffside Park, N. J. 07010

Honorable Gus Yatron
House of Representatives
Washington, D. C. 20515

AUG 24 1971

CERTIFICATE AND ORDER

SERVICE DATE
AUGUST 24, 1971

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 3, held at its office in Washington, D.C., on the 20th day of August, 1971.

Finance Docket No. 26659 (Sub-No. 29)

R.D. TIMPANY, TRUSTEE OF THE PROPERTY OF THE CENTRAL RAILROAD COMPANY OF NEW JERSEY ABANDONMENT OVER THE MOUNT HOPE MINERAL RAILROAD BETWEEN WHARTON AND MOUNT HOPE, MORRIS COUNTY, N.J.

Upon consideration of the joint application filed under section 1(18) of the Interstate Commerce Act on May 25, 1971, as supplemented by R.D. Timpany, Trustee of the Central Railroad of New Jersey and Mount Hope Mineral Railroad common carriers by railroad subject to the provisions of part I of the Act, for permission to abandon 3.60 miles between Wharton and Mount Hope, Morris County, N.J., the entire line of the Mount Hope Mineral Railroad of, (1) shipper protests filed by F.L. Smidth & Co. and its employees, Tenneco Plastics Division of Tenneco Chemicals, Inc., Blue Coal Corp, New Jersey Zinc Co., Interpace Corp., and Air Products & Chemicals, Inc., (2) protests filed by parties listed in Appendices A and B, (3) the protest of the Lehigh Coal & Navigation Co., (4) the petitions to intervene filed by Owens-Illinois, Inc., Lehigh Valley Railroad, Erie-Lackawanna Railway Co., and The Reading Co., (5) petitions filed in support of the application by Manufacturers Hanover Trust Co. and 3 1/4% Mortgage Bondholders Protective Committee, and (6) the reply to said protest filed by applicant, and

It appearing, That the applicants and its employee representatives may reach agreement concerning employee protection and until such time that the Commission is notified that such agreement has been reached, or that no agreement can be reached, the decision to impose employee protective conditions will be reserved (I.C.C. et al. v. Railway Labor Executives' Assn. et al., 315 U.S. 373); that no public need has been shown for the continuation of restoration of service on the line; that none of the shipper protestants are located directly on the line proposed to be abandoned, except Air Products and Chemicals, Inc. which is located on the beginning 0.25 mile portion of the line; that the line proposed to be abandoned has been out of service since 1967; and that continued maintenance and operation of the line would impose an undue and unnecessary burden upon applicants and upon interstate commerce;

It is hereby, certified, That, subject reservation of jurisdiction by the Commission concerning employee protection, the present and future public convenience and necessity permit the abandonment by the Central Railroad Co. of New Jersey and Mount Hope Mineral Railroad of the line described above:

It is further ordered, That this certificate and order shall take effect and be in force from and after 35 days from its date of service and that tariffs applicable to the line herein permitted to be abandoned may be canceled upon notice to this Commission and to the general public by not less than 10 days filing and posting in the manner prescribed in section 6 of the Interstate Commerce Act;

It is further ordered, That, when filing schedules canceling tariffs applicable to said line, the applicants shall in such schedules refer to this certificate and order by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, applicants shall submit for the consideration of this Commission two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, the date on which the abandonment actually took place; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its effective date, it shall be of no further force or effect.

By the Commission, Division 3.

ROBERT L. OSWALD,
Secretary.

(SEAL)

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14. Raritan Township - Hunterdon County
15. Walter Taylor - Somerville, N. J.
16. State of New Jersey-Dept. of Industry & Labor
17. Carbon Co. Pa. Commissioners
18. City of Allentown, Pa.
19. Chosen Freeholders of Warren County
20. Township of Franklin, N. J.
21. Township Comm. of Bethlehem
22. Warren County Economic Commission
23. Township of Mount Olive
24. County of Morris
25. Greater Flemington Chamber of Commerce
26. Chosen Freeholders of Somerset
27. Township of Hillsborough
28. Borough of Freehold
29. Monmouth County Planning Board
30. Morris County Board of Public Transp.
31. Township of Greenwich
32. City of Bridgeton
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APPENDIX B

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